IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

WP(C).No. 9091 of 2007(G)

PETITIONER:

DHANALAKSHMI BANK LTD., HEAD OFFICE,
TRISSUR-1.

BY ADV. SRI.C.K.KARUNAKARAN,SC,DHANALAKSHMI BAN

RESPONDENTS:

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1. DEBTS RECOVERY APPELLATE TRIBUNAL,
CHENNAI, REPRESENTED BY ITS REGISTRAR.

2. DEBTS RECOVERY TRIBUNAL,
KERALA AND LAKSHADWEEP, ERNAKULAM,
REP. BY ITS REGISTRAR.

3. THE RECOVERY OFFICER,
DEBTS RECOVERY TRIBUNAL,
KERALA AND LAKSHADWEEP, ERNAKULAM.

4. M.A.K.AZAD, DIRECTOR,
MAK AGRO COMMODITIES P.LTD.,
G-211, MAIN AVENUE,
PANAMPILLI NAGAR, COCHIN-36.

BY GOVERNMENT PLEADER SRI.JOHN VARGHESE, ASST.SG

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C).No.9091 of 2007-G

Dated this the 19th day of March, 2007

JUDGMENT

The petitioner has approached this Court challenging the Ext.P7 order of the Debts Recovery Appellate Tribunal, Chennai dated 2-3-2007. The petitioner submits, the order has been passed without notice to it and the order has been obtained by misrepresentation of facts. I think these are all matters which the petitioner can place before the Appellate Tribunal and seek recall or modification of its order. If the petitioner moves for vacating or modifying that order, I hope the Appellate Tribunal will take up the matter and dispose of the same expeditiously. Subject to that direction, the writ petition is closed without prejudice to the contentions of the petitioner.

K.BALAKRISHNAN NAIR, JUDGE.

MS